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9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 THERMOLIFE INTERNATIONAL, LLC,

12 Plaintiff,

13 vs.

14 BPI SPORTS HOLDINGS, LLC and
15 IMAGE SPORTS, LLC,

16 Defendants.

17 BPI SPORTS HOLDINGS, LLC and
18 IMAGE SPORTS, LLC,

19 Counterclaimants,

20 vs.

21 THERMOLIFE INTERNATIONAL, LLC,

22 Counterdefendant.
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Case No. 13-CV-00910 JLS (MDD)

**JOINT MOTION FOR DISMISSAL
OF ALL CLAIMS AND
COUNTERCLAIMS PURSUANT TO
FEDERAL RULE OF CIVIL
PROCEDURE 41(a)(1)(A)(ii)**

TO THE COURT AND ALL PARTIES:

Plaintiff ThermoLife International, LLC and defendants BPI Sports Holdings, LLC and Image Sports, LLC hereby jointly request that the Court dismiss this Action with prejudice in its entirety (including all affirmative claims and counterclaims) pursuant to 41(a)(1)(A)(ii) as the parties have reached a settlement in this Action. Each party is to bear its own fees and costs.

Dated: October 21, 2013

NEWPORT TRIAL GROUP

/s/ Tyler J. Woods

Tyler J. Woods
Attorney for Plaintiff

Dated: October 21, 2013

/s/ Daniel Silverman

Daniel Silverman
Attorney for Defendants and
Counterclaimants BPI Sports Holdings,
LLC and Image Sports, LLC

CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2013, I electronically filed the foregoing **JOINT MOTION FOR DISMISSAL OF ALL CLAIMS AND COUNTERCLAIMS PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(A)(ii)** with the Clerk of the Court using the CM/ECF system which will send notification of such filing via electronic mail to all counsel of record.

/s/Tyler J Woods

Tyler J Woods